



03-03-03

1635

CERTIFICATE OF MAILING BY "EXPRESS MAIL"
UNDER 37 C.F.R. § 1.10

Express Mail mailing label number: EV 103966387 US Date of Mailing: February 28, 2003

I hereby certify that this correspondence is being deposited with the United States Postal Service, utilizing the "Express Mail Post Office to Addressee" service addressed to **Assistant Commissioner for Patents, Washington, DC 20231** and mailed on the above Date of Mailing with the above "Express Mail" mailing label number.

Helena Beckmann
Helena Beckmann

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application)	<u>PATENT APPLICATION</u>
)	
Inventor(s): Terry Hermiston et al.)	Art Unit: 1635
)	
SC/Serial No.: 09/472,691)	Examiner: Whiteman, Brian
)	
Filed: December 27, 1999)	
)	
Title: Adenovirus E1B Shuttle Vector)	
)	

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TRANSMITTAL LETTER

Assistant Commissioner for Patents
Washington, DC 20231

Sir or Madam:

Transmitted with this communication in connection with the above-identified application is an Amendment pursuant to 37 C.F.R. § 1.111.

[X] The Commissioner is hereby authorized to charge underpayment of any additional fees or credit any overpayment associated with this communication to Deposit Account No. 15-0615. A duplicate copy of this authorization is enclosed.

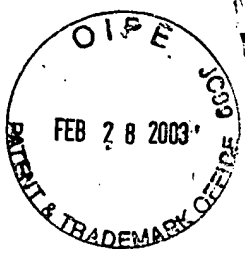
Please direct all correspondence concerning the above-identified application to the following address:

Gregory Giotta, Ph.D.
Vice President and Chief Legal Counsel
ONYX Pharmaceuticals, Inc.
3031 Research Drive, Richmond, California 94806
Telephone: (510) 262-8710

Respectfully submitted,

Date: 2/28/03

By: Gregory Giotta
Gregory Giotta (Reg. No. 32,028)



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Helena Beckmann (Signature)
Helena Beckmann
Signature Date: February 28, 2003

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RESPONSE TO OFFICE ACTION UNDER 37 C.F.R. § 1.111

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

This RESPONSE is in reply to the Office action mailed August 28, 2002.
Please amend the claims as follows:

1. A recombinant adenoviral vector comprising a deletion of at least one E1b region gene, but retaining the E1b promoter, and substituting for said E1b region gene a heterologous gene that has a similar temporal expression pattern of the deleted